

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

TARACAS ROBINSON,)
)
 Petitioner,)
)
 vs.) No. CIV-15-1315-C
)
GARFIELD COUNTY JAIL,)
)
 Respondent.)

ORDER OF DISMISSAL WITHOUT PREJUDICE

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Suzanne Mitchell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Mitchell entered a Report and Recommendation on December 16, 2015, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

The facts and relevant law are set out in full in the accurate and well-reasoned opinion of the Magistrate Judge and no point would be served in repeating that analysis. Petitioner does not specifically dispute either the factual recitation or the legal reasoning employed by the Magistrate Judge. In fact, Petitioner seems to misunderstand the basis for the Court's dismissal of this and previous petitions. Until the state criminal prosecution is concluded, there are simply not circumstances present here which would permit this Court to exercise jurisdiction. If Petitioner continues to file Petitions which have no basis in law or fact, filing restriction (e.g. denial of in forma pauperis status) will be placed upon him.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, this petition for habeas corpus relief is dismissed without prejudice.

IT IS SO ORDERED this 7th day of January, 2016.



ROBIN J. CAUTHRON
United States District Judge